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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,024	06/27/2001	Wenliang Chen	042390.P10626	4975

7590 10/18/2004  
Lawrence E. Lycke  
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EXAMINER

ZHENG, EVA Y

ART UNIT PAPER NUMBER

2634

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/894,024

Applicant(s)

CHEN ET AL.

Examiner

Eva Yi Zheng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 11 and 21 is/are rejected.
- 7) ☒ Claim(s) 2-10, 12-20 and 22-30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/24/01</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Drawings***

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 11 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Snyder (US 5,422,914) (IDS).

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a) Regarding claim 1, Snyder discloses a method comprising:

Providing a first clock signal (B-CLOCK; Col 4, L 51-52; as shown in Fig. 1)  
having a first frequency to a state machine counter (34 in Fig. 4);

Providing a second clock signal (P\_CLOCK in Fig. 4) having a second frequency  
that is an integer multiple of the first clock frequency to the state machine counter (Col  
4, L 49-52);

Applying the first clock signal to reset (1:1 in Fig. 5) the state machine counter to  
an initial state;

incrementing the state machine counter with the second clock signal (Col 9, L23-  
24) wherein the state machine counter has an integer number of states equivalent to the  
ratio of the second clock signal frequency to the first clock signal frequency (Col 7, L52-  
55);

generating an intermediate clock signal (as shown in Fig. 4) with the state  
machine counter wherein the counter produces an output signal whenever the state  
machine increments through all states to return to the initial state (as shown in Fig. 5);  
and

applying the intermediate clock signal to synchronize data between the first clock  
frequency and the second clock frequency (as shown in Fig. 2; Col 4, L61- Col 5, L3).

b) Regarding claim 11, Snyder discloses a product comprising:

instructions to direct a processor (10 in Fig. 1) to provide a first clock signal having a  
first frequency (B-CLOCK; Col 4, L 51-52; as shown in Fig. 1) to a state machine  
counter (34 in Fig. 4), provide a second clock signal (P\_CLOCK in Fig. 4) having a

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second frequency that is an integer multiple of the first clock frequency to the state machine counter (Col 4, L 49-52), apply the first clock signal to reset the state machine counter to an initial state (1:1 in Fig. 5), increment the state machine counter with the second clock signal (Col 9, L23-24) wherein the state machine counter has an integer number of states equivalent to the ratio of the second clock signal frequency to the first clock signal frequency (Col 7, L52-55), generate an intermediate clock signal (as shown in Fig. 4) with the state machine counter wherein the counter produces an output signal whenever the state machine increments through all states to return to the initial state (as shown in Fig. 5), and, apply the intermediate clock signal to synchronize data between the first clock frequency and the second clock frequency (as shown in Fig. 2; Col 4, L61- Col 5, L3), and;

machine readable media to store the instructions (28 in Fig.1).

c) Regarding claim 21, Snyder discloses an apparatus comprising:

a first data processing device (Col 2, L16-21) clocked at a first frequency (B-CLOCK; Col 4, L 51-52; as shown in Fig. 1);

a second data processing device (Col 2, L16-21) clocked at a second frequency (P\_CLOCK in Fig. 4) that is an integer multiple of the first frequency;

instructions to direct a processor to provide a first clock signal having the first frequency to a state machine counter (34 in Fig. 4), provide a second clock signal having the second frequency to the state machine counter, apply the first clock signal to reset the state machine counter to an initial state (1:1 in Fig. 5), increment the state machine counter with the second clock signal (Col 9, L23-24) wherein the state machine

counter has an integer number of states equivalent to the ratio of the second clock signal frequency to the first clock signal frequency (Col 7, L52-55), generate an intermediate clock signal (as shown in Fig. 4) with the state machine counter wherein the counter produces an output signal whenever the state machine increments through all states to return to the initial state (as shown in Fig. 5), and, apply the intermediate clock signal to synchronize data between the first data processing device and the second data processing device (as shown in Fig. 2; Col 4, L61- Col 5, L3), and; machine readable media to store the instructions (28 in Fig.1).

#### ***Allowable Subject Matter***

4. Claims 2-10, 12-20 and 22-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eva Yi Zheng whose telephone number is (571) 272-3049. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-879-9306.

**Any response to this action should be mailed to:**

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Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**


**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Eva Yi Zheng  
Examiner  
Art Unit 2634

October 8, 2004

  
**SHUWANG LIU**  
**PRIMARY EXAMINER**